Secrt. II-27—100,000—21-5-52.

Home (1948) Department.

M8 SERIES. P 18(E)

U.O. NO.. 2843 and 2864

Dated 27-7-48.

[Despatch Abstract.]

Letter of request — To the Civil Court. Kurra — O.S. No.
16 of 1948 on the file of the Sub Court. Bobbili. T
The Govt. of the C.P and Berar — Addressed.

R.O.C. 3439/48 B4

From
Sri R.Jayaram Ayyar, M.A.,B.L.,
Official Referee and Vacation Officer,
High Court of Judicature at Madras.

To
The Secretary to Government,
Home Department,
Fort St.George, Madras (with enclosures)

Dated 2nd July 1948.

Sir,

Subject: LETTER OF REQUEST TO EXAMINE two witnesses in Korea State, Eastern States Agency-Baikunth post- in O.S 16 of 1948 of the sub Court Cotacamund.

I am to forward herewith a letter of request with its enclosures for the examination of witnesses mentioned therein and to request that the same may be forwarded to the concerned Court for execution and return at an early date

A sum of Rs.25 is available with the Sub-Court, Cotacamund and it will be sent to the concerned court when required.

Sd- - - - - - -
Official Referee & Vacation Officer.

True Copy

Superintendent
Madras/ Record Office

JK/2d5

GOVERNMENT OF MADRAS.
Home Department

G.O. Ms. No.2863 Dated 27-7-48

Letter of Request- To the Civil Court, Korea- O.S No.16 of 1948 on the file of the Sub-Court, Ootacamund. The Government of Central Province and Berar- Addressed.
Read: From the High Court Roc.No.3439/48-B4 dated 2.7.48

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ORDER:-

The Government of the Central Province and Berar will be addressed.

2. The Hon'bl. the Judges are requested to direct that the sum of Rs.25/- available with the Sub court Ootacamund ~~forwards~~ towards the expences of the Commission, ~~direct to the Chief~~ should be sent Chief Secretary to the Government of Central Province and Berar.

To
The Hon'bl. ~~Chief~~ the Chief Justice.

True Copy.

Superintendent
Madras Record Office

Letter/Ms No.2864 Dated 27-7-48 Home Department

To
The Chief Secretary to the Government of Central
Province and Berar,

Sir,

Letter of Request- to the Civil Court, Korea State, -O.S No.16 of 1948 on the file of the Sub-Court, Ootacamund- Examination of two witnesses residing in Korea State.

I am directed to forward a copy of a letter from the Official Referee and Vacation Officer, High Court of Judicature at Madras No. Roc 3439/48-B4 dated 2nd July 1948 together with its enclosures on the subject referred to above and to request that the papers may be transmitted to the Civil Court Korea State.

2. A Sum of Rs.25/- is being sent separately towards the expenses of the Commission by the Sub-Court, Ootacamund direct.

Yours Faithfully,
Sd- - - -

Copy of p.1 c.f and
pp 3-90 c.f in original
by regd. post.

True Copy

p.t.o

Note :Public (Political)may see before issue.

Public (Political) Department

Home 6000/5/E/48 dated 17-7-48

The drafts on p.1 ante may be perused. A recent communication addressed to the ruler of the Korea State through the proper channel was returned by the Chief Administrator and Special Commissioner, Orissa States, Cuttack stating that the Korea state has been integrated with the C.P.and Berar. The communication was therefore sent throgh the Chief Secretary to the Government of C.P. and Berar for transmission. This department may therefore suggest that the Chief Secretary to the Government of C.P. may be addressed in the matter.

Issue as amended.

Public (Political) Department U.O. 2807/48-1 dated 26-7-48

(Issued as G.O. Ms. 2863 Home dated 27-7-48)
Issued Letter Ms. Home dated 27-7-48

True Copy.

Roc No.3439/48-B4

From
Sri V.T.Kandaswami, Attorney-at-Law.,
Assistant Registrar of the High Court of Judicature,
(Appellate Side) Madras.

To
The Secretary to Government,
Home Department, Fort Saint George, Madras.

Dated Madras the 17th Decemeber 1948.

Sir,

Sub: 1. Letter of Request in O.S No.16/48 Sub-Court Ooty
2. ,, ,, ,, O.S.No.40/47 Sub Court Sivaganga.
Ref: 1. G.O. Ms No.2863 Home dated 27-7-48
2. G.O. Ms. No.2975 Home dated 27.7.48.

...

I am to enquire when the return of the letters of request mentioned above may be expected.

Sd- x x
Assistant Registrar, Appellate Side.

True Copy

Letter Ref/ No.106328-E/48-1 dated 28-12-48 Home Dept.

To
The Chief Secretary to the Government of the
Central Provinces and Berar..

Sir,

Letter of Request- To the Civil Court, Korea State-
O.S No.16 of 1948 on the file of the Subordinate Judge's
Court, Ootacamund- Examination of two witnesses residing in
Korea State.
Ref: My letter /Ms. No.2864 Home dated 27-7-48

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when
I am directed to enquire/the return of the letter of request sent with my letter cited may be expected.

Yours faithfully,
Sd- xx xx

To
The Hon. the C.J. High Court,
Madras.

True Copy

Letter Ref No.106328 E/48-2 dated 28-12-48 Home Dept.

To
The Secretary to the Government of India,
Ministry of Law.

Sir,

Letter of Request- O.S No.40/47- Sub-Court, Sivaganga
Examination of witnesses in Rangoon..
Ref: Mr.Ray's letter No.F.76-V/48-L dated 9.9.48.

I am directed to enquire when the return of the letter of request in the above case may be expected.

Yours faithfully,
Sd- x x

Copy to the Hon. the C.J.
High Court, Madras.

True Copy

No.F.76-V/48-L
Government of India,
Ministry of Law.

From
Kanhaiya Singh, Esquire
Additional Deputy Secretary to the Govt. of India.

To
The Deputy Secretary to the Government of Madras-
Home Department, Madras.

Dated New Delhi-3 the 6th January 1949.

Subject: letter of Request- O.S No.40/47 Sub-Court, Sivaganga-
Examination of witnesses in Rangoon.

Sir,

I am directed to acknowledge the receipt of your letter No.106328-E/48-2 dated the 28th December 1948, on the above subject, and to say that a reply from the Indian Embassy in Burma, is still awaited. The Embassy has been reminded about the matter.

Yours faithfully,
Sd - x x x x x x
Additional Deputy Secretary to the Govt of India.

True Copy

p.t.o

Home Department

Submitted for perusal. The reply from the Govt. of the Central Provinces and Berar may be awaited till 1.2.49.

True Copy

No.805-802/XIX

Government of the Central Provinces and Berar- Judicial- Department

From
Shri-P.D.Deshmukh, B.A.(Hons).,LL.B.,
Secretary to Government,
Central Provinces and Berar,
Judicial Department.

To
The Secretary to the Government of Madras.
Home Department,
Fort. St.George, Madras.

Dated Nagapur the 5th March 1949.

Sir,

Sub: Letter of request- To the Civil Court, Korea State O.S No.10 of 1948 on the file of the Subordinate Judge's Court, Ootacamund- Examination of two witnesses residing in Korea State.

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With reference to the correspondence resting with Sri P.M.Nayak's letter No.106328-E/48-3 of the 2nd February 1949, on the above subject I am directed to forward for your information a copy of memorandum No. 329/1-15-24/48 dated the 26th February 1949, from the District and Sessions Judge, Raigarh, in the matter.

Yours faithfully,

Sd x x x
Secretary to Government Central
Provinces and Berar, Judical Department.

True Copy

Copy of memorandum No.329/1-15-24/48 dated Raigarh the 26the February, 1949, from the District and Sessions Judge, Raigharh, to the Registrar, High Court of Judicature at Nagpur-

Subject:- Letter of request to the Civil Court, Korea State O.S No.16 of 1948 on the file of the Subordinate Judge's Court, Ootacamund- Examination of two witnesses residing in Korea State.

Reference: Registry endorsement Nos.4696/II-15-3/45 dated 18.8.48 6332/11-15-3/45 dated 11-11-1948 and No.Q/II-15-3/45 dated 29-1-1949.

The Civil Judge (class II), Baikunthpur, has reported that one of the witnesses Shri. B.N. Singh was examined and the commission papers were returned on 27-11-1948 direct to the Court concerned at Ootacamund partly executed as the other witness R.S. Singh was not available having left the place permaneltly. The papers were again received back from the Court concerned for the examination of the other witness Shri R.S.Singh but they were also returned to the court concerned on 11-2-1949 as the witness was then not available.

HIGH COURT OF JUDICATURE AT NAGPUR.

No.1276/II-15-3/45, Dated Nagpur, the 3rd March 1949.

Copy forwarded to the Secretary to Government, Central Provinces and Berar, Judicial Department, Nagpur, for information in continuation of this Registry endorsement No.Q/11-15-3/45 dated the 29th January 1949.

Sd/- M.A.Razzaque
Deputy Registrar.

True Copy

KK

Letter /Ref No.106328 F/48-C dated 11.3.49 Home Department

To
The Hon'ble the C.J. High Court, Madras
(with copy of pp.7 and 9 of)

Hon'ble Sir,

Letter of Request-To the Civil Court Korea State-O.S No.16 of 1948 on the file of the subordinate Judge's Court, Ootacamund- Examination of two witnesses residing in Korea State.
Ref: Mr. V.T. Kandaswami's letter Roc. No.3439/48-B4 dated 17-12-1948.

--

I am directed to forward a copy of a letter No.805-802/XIX, dated 5-3-49 from the Government of the Central Provinces and Berar, Judicial Department on the above subject together with a copy of its enclosure.

Yours faithfully,
Sd- x x

True Copy

Note:- The reply from the Government of India, Ministry of Law, to letter/Ref No.106328/E/48-2 dated 28.12.48 has not yet been received. They were reminded on 8.3.49. Their reply may be awaited till 1-4-1949 (R.D. 2-4-1949.)

KK

True Copy

No. 1009-960/XIX

GOVERNMENT OF THE CENTRAL PROVINCES AND BEARAR
Judicial Department.

From

Shri. P.D.Deshmukh, B.A(Hons)., LL.B.,
Secretary to Government,
Central Provinces and Berar,
Judicial Department.

To

The Deputy Secretary to the Government of Madras.
Home Department,
Fort St.George, Madras.

Dated Nagpur, the 22nd March 1949.

Subject: Letter of Request-to the Civil Court, Korea State.

Sir,

With reference to the correspondence resting with your letter No.106328-F/48-5, dated the 7th March 1949 on the above subject, I am directed to refer your to this department letter No.805-802-XIX, dated the 5th March 1949, copy enclosed for ready reference.

Yours faithfully,
Sd x x x
Secretary to Government
Central Provinces and Berar,
Judicial Department.

Encl: 1

True Copy

Copy of letter No.805-802-XIX, dated Nagpur, the 5th March 1949, from the Secretary to Government, C.P.& Berar, Judicial Department, to the Secretary to Government of Madras, Home Department, Fort St.George, Madras.

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Subject: Letter of Request - to the Civil Court Korea State- O.S No.16 of 1948 on the file of the subordinate Judge's Court, Ootacamund, Examination of two witnesses residing in Korea State.

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With reference to the correspondence resting with Shri P.M.Nayak's letter No.106328-E/48-3 of the 2nd February 1949 on the above subject, I am directed to forward for your information a copy of memorandum No. 329/1-15-24/49 dated the 26th February 1949, from the District and Sessions Judge, Raigarn, in the matter.

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p.t.o

Copy of memorandum No.329/I-15-24/48, dated the 26th February 1949 from the District and Sessions Judge, Raigarh, to the Registrar, High Court of Judicature at Nagpur.

Subject:- Letter of request to the Civil Court Korea State O.S No.16 of 1948 on the file of the Subordinate Judge's Court, Ootacamund- Examination of two witnesses residing in Korea State.

Reference:Registry Endorsement Nos.4696/II-15-3/45, dated 18.8.48, 6332/II-15-3/48 dated 11.11.48 and No.Q/II-15-3/45 dated 29-1-49.

.....

The Civil Judge (Class II) Baikunthpur, has reported that one of the witnesses Shri. B.N.Singh was examined and the commission papers were returned on 27-11-48 direct to the Court concerned at Ootacamund partly executed as the other witness R.S.Singh was not available having left the place permanently. The papers were again received back from the Court concerned for examination of the other witness Shri R.S.Singh but they were also returned to the Court concerned on 11-2-49 as the wintess was then not available.

True Copy

KK

REGISTERED.

No.F.20-4/49-BCI(B)
Government of India
Ministry of External Affairs.

New Delhi, the 24th August 1949.

From

S.N.Sheopori, Esqr,
Assistant Secretary to the
Government of India,

To

The Deputy Secretary to the
Government of Madras.
Home Department, Madras.

Letter of Request issued by the Sub-Judge Sivaganga in Original suit No.40/47 for examination of witnesses. residing in Burma.

...

Sir,

With reference to the correspondence ending with your letter No.106328-F/48-7 dated 4th July, 1949 on the above subject, I am directed to forward a copy of the letters Nos CP-16/49-4643 and CP-16/49/7104, dated 31st May 1949 and 28th July, 1949 respectively, received from the Indian Embassy, Rangoon, together with the letter of request in original duly executed for favour of necessary action.

Yours faithfully,
Sd- x x
Assistant Secretary.

KK

True Copy

Letter/Ref. No.106328F/48-10 dated 31-8-49 Home Department

To

The Hon. the C.J. High Court, Madras.

Hon.Sir,

Letter of Request- To the Civil Court, Korea State O.S. No.16 of 1948 on the file of subordinate Judge's Court, Ootacamund- Examination of two witnesses residing in Korea State -

Ref: Correspondence resting with my letter No.106328-F/48 -6 dated 11-3-1949.

I am directed to forward a copy of a letter No.F80-4/49-BCI (B), dated 24-8-1949 from the Government of India, Ministry of External Affairs, together with its enclosurers in original on the above subject.

Yours Faithfully,
Sd- x x x

Note: After issue the papers may be filed with the G.O./Letter at (Y)

KK

True Copy

R.O.C. No.4894/48-B4

From

Sri V.T.Kandaswami, Attorney-at-Law,
Assistant Registrar, Appellate side,
High Court, Madras.

To

The Secretary to Government,
Home Department, Fort,St.George,
Madras.

Sir, Dated the 5th September 1949

Sub: Letter of Request in O.S. 40/47 Sub-Court, Sivagang-
Examination of witnesses in Rangoon.
Ref: Your letter Ref No.106328/F/48-10 dated 31-8-1949

The enclosures and the copy of the letter referred to in your letter cited above pertain to the commission mentioned above. The subject mentioned in your above reference (viz.Ref 106328-F/48-10) relates to a commission which was reported by you to have been returned direct after execution under your reference cited therein. It is therefore presumed that this is only a mistake.

Sd/ x x x
Assistant Registrar, Appellate Side.

p.t.o

Memo No. 86872-F/49-1 Home Department
dated 12-9-1949.

Letter of Request- O.S. No.40/47- Sub Court, Sivaganga-
Examination of witnesses in Rangoon-
Ref: Correspondence resting with the letter from the
High Court Roc. No.4894/49-B4 dated 5.9.49

...

The Registrar, High Court, is informed that the presumption in the letter cited is correct.

Sd-----

To
The Registrar,
High Court, Madras.

Note: The mistake is deeply regretted. After issue the papers may be filed with the G.O./Letter at (A)

KK. True Copy

for Superintendent,
Madras Record Office.

12/25/6